

Esere J. Onaodowan, Esq.

eonaodowan@eocdlaw.com c 718.427.3139

Christine Delince, Esq.

cdelince@eocdlaw.com c 917.238.9332

Via ECF

November 14, 2023

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas St.
White Plains, NY 10601

Re: United States v. Sampson, et. al; 22 Cr. 640 (KMK)

Dear Judge Karas,


I write to provide the Court with additional information about the request for Court intervention in scheduling a joint defense meeting. The defendants in this case are prohibited from communicating with each other outside the presence of counsel. Therefore, the only way for the defendants to discuss the possibility of a joint defense would be to have a joint defense meeting where the defendants and their attorneys could be in a room together. If the defendants were out on bond, with the Court's permission, they would have the ability to hold such a meeting. However, their status as pretrial detainees, as well as the number of defendants in this case, requires some creativity but should not prevent the occurrence of a joint defense meeting.

I have consulted with the government and have asked them to schedule the meeting in the holding cells of the courthouse through the Marshals Service. The government is opposed to doing so due to the number of defendants in this case. For this reason, we are asking that the Court schedule a conference for the purpose of having a joint defense meeting, or to at least schedule a conference to discuss how such a meeting can be arranged. If the Court is inclined to schedule a conference with the understanding that it will be a joint defense meeting, we are asking that it take place in the courtroom, with the understanding that the Court, court staff and the government would leave the courtroom, but that the Marshals would remain. The presence of the Marshals, however, would not waive the attorney/client privilege.

Please let me know if the Court has any additional questions.

The Court will not have a conference just to facilitate a joint defense meeting. First, our courtroom is under construction and courtroom space is extremely limited. Second, the Court cannot assume that the Marshals Service has the personnel to accommodate this request. Third, the Court does not get involved in facilitating meetings in the Courthouse. Counsel will need to work this out with the Government.

Respectfully submitted,


Christine Delince, Esq.

cc: AUSA Ong
AUSA Allison

So Ordered.


11/15/23